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**CALL TO ORDER**

[Time: 00:00:43]

Mayor Ortega: I call the July 11<sup>th</sup>, 2023 City Council Regular meeting to order. City Clerk Ben Lane, please conduct the roll call.

**ROLL CALL**

[Time: 00:00:53]

City Clerk Lane: Thank you, Mayor.

Mayor Ortega: Present.

City Clerk Lane: Vice Mayor Kathy Littlefield.

Vice Mayor Littlefield: Present.

City Clerk Lane: Councilmembers Tammy Caputi.

Councilwoman Caputi: Here.

City Clerk Lane: Tom Durham.

Councilmember Durham: Here.

City Clerk Lane: Barry Graham.

Councilmember Graham: Here.

City Clerk Lane: Betty Janik.

Councilwoman Janik: Here.

City Clerk Lane: Solange Whitehead.

Councilwoman Whitehead: Here.

City Clerk Lane: City Manager Jim Thompson.

City Manager Thompson: Here.

City Clerk Lane: City Attorney Sherry Scott.

City Attorney Scott: Here.

City Clerk Lane: City Treasurer Sonia Andrews.

City Treasurer Andrews: Here.

City Clerk Lane: Acting City Auditor Lai Cluff.

Acting City Auditor Cluff: Here.

Clerk Ben Lane: And the Clerk is present. Thank you, Mayor.

[Time: 00:00:53]

Mayor Ortega: I want to point out we do have Scottsdale Police Sergeant Sean Ryan and Detective Dustin Patrick, as well as Firefighter Cody Taylor if anyone requires their assistance. And in light of the fire that occurred ten days ago, you've got to give a hand to our first responders and working in unison with the forest service. So at this --

**PLEDGE OF ALLEGIANCE**

At this point, I will -- let's rise for the Pledge of Allegiance. Councilmember Tom Durham.

Councilmember Durham: I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands: One nation under God, indivisible, with liberty and justice for all.

**MAYOR'S REPORT**

[Time: 00:02:24]

Mayor Ortega: I think it's very important that we call to mind the struggle in the country of Ukraine for freedom and democracy. So I ask us to pause in silence for the people of Ukraine.

[ Moment of silence ]

Mayor Ortega: Thank you very much. Well, next, we have a celebration and it is a retirement. And our deputy city clerk, deputy Cathie Butteweg, she started her career in 2004 and she's been with the city clerk's office during her entire time here in the city of Scottsdale.

You know, I was curious about the name Butteweg and when I looked it up, there were three attributes. The first one is the word captain, and the second one is good and the third is graceful. I think that's an amazing attribute that you really show us and the city and especially since you are the face of the city, which normally is the first entry point for someone coming to our fine city.

You have been a dedicated municipal professional for many years and you have been on the Arizona Municipal Clerks Association since 2009. You've had some various committee work as cochair and records management and contributed for the betterment of all clerks in Arizona municipality association. You are certified municipal clerk, master municipal clerk, certified municipal election official. We need those very much. Thank you. And certified election officer.

Now, during her tenure with Scottsdale, Cathie has filled many roles and responsibilities in the city clerk's office where she served the office's most senior member and has a wealth of knowledge. I also checked your horoscope to find out more about you. And this is what it says. It says Butteweg, is a plan. Those leave their mark on human civilization and like to discover interesting details such as names and numerology. Perfectly fitting a clerk. Her favorite number is 451. 451 is the number of city council meetings Cathie has attended. Her other favorite number is 649. That's the number of sets of meeting minutes she has produced in her career. So those are your lucky numbers and I guess we will add tonight. You know, we are going into recess.

So we will miss you and, you know, what's very interesting also about Cathie and the 2007-'8, there were a lot of hardships with the recession and so forth. And in 2008, Cathie started attending all council meetings as a cost savings. The clerk's office used to have a contractor attend the council meetings and produce the minutes. When the city went through those budget reductions, she volunteered, proposed and volunteered the elimination of that vendor, and then has since taken the minutes. So thank you very much. It really is an art.

And, you know, part of praising you is also praising the person that hired you. And Carolyn Jagger was a remarkable -- she's a former city clerk. I was on council when we hired her by the way as a charter officer back in 2002. So thank you, Cathie, for all the dedicated years of work and what you have contributed to the profession and I -- I bet you Carolyn is watching or at least will get the replay. Can you please join us here in front. We'd like to present you with a few gifts. Oh, yeah. Go ahead, Solange.

Councilwoman Whitehead: Hi, Cathie. I want to say in a world full of bravado, it seems to me the people who get the most done are the quietest and that is -- you know, what is it behind every good city manager, I guess -- or city clerk is the assistant city clerk. You have been amazing! Quiet, amazing. You have never complained about being here until almost 11:00 at night and then you produce incredible minutes, despite, I'm not even clear sometimes. Truly, I appreciate -- I know you could have retired after -- at the time Carolyn Jagger retired and you stayed with us to make sure we had a very good transition. That dedication, I'm so appreciative, we are in good hands thanks to you and Carolyn helping us get a new City Clerk. So thank you.

Mayor Ortega: Yes, Vice Mayor.

Vice Mayor Littlefield: Thank you, Mayor. I want to echo what Solange has said and what David has said. You have done a fantastic job for all of us, every time we come to you with our issues and problems and concerns, you have the answers for us and I really appreciated that, especially when I first started here and I didn't know what I was doing. I wanted to thank you very much for your dedication to the city and to all of us up here and I hope you have a wonderful, wonderful retirement.

Mayor Ortega: Well, let's continue. Councilmember Graham.

[Time: 00:09:23]

Councilmember Graham: Thanks for letting me bother you all of those years and it's just been great working with you. And you serve as an example. You have been in your position for so long, and people. My generation, the one below me, they can't stay at a job longer than six months, a year. You show them how it's done. Thank you.

Mayor Ortega: Good. Thank you. Councilwoman Janik.

Councilwoman Janik: I wanted to say thank you so much for your professionalism and your dedication. You are the ideal civil servant, and we all appreciate it. Thank you.

Mayor Ortega: Well, we do have a sign of our appreciation. So please join us at the center.

Mayor Ortega: So resuming. You know, actually, in the spirit of Cathie Butteweg and her volunteerism, I want to make an announcement, the applications for volunteers for boards and commissions, of course, go through the clerk's office. We have advertisements, or notices out to the public. If you are interested, know that you are invited to apply to serve the -- on the city boards and commissions.

Applications are now being accepted until August 3<sup>rd</sup> for five boards, and then at the end of the August, we have another ten boards and commissions. The spirit of service is alive and well in Scottsdale. You can go to [Scottsdaleaz.gov](http://Scottsdaleaz.gov). One factoid is that we have approximately 2640 positions in Scottsdale, employees. Before COVID, we had close to 3800 volunteers in the city. Think about that.

And we plan, I'm hopeful that we will be able to -- this crosses all areas from the volunteers at the hospital, volunteers with the charros, volunteers at the preserve, volunteers at the looking at cameras in our traffic department. There's some high schoolers that are interested in that, and so I'm hoping that we can actually get 5,200 volunteers. Twice as many volunteers as we have employees. That's the spirit of Scottsdale.

Moving on with a PSA, during tonight's meeting, the council may make a motion to recess into executive session to obtain legal advice on any applicable item on the agenda. If authorized by the council, the executive session will be held immediately, and will not be open to the public. The public meeting will resume following the executive session.

The second announcement is that per our council rules and procedure, citizens attending city council meetings shall observe the same rules of order and decorum applicable to members of the council and the city staff. Unauthorized remarks or demonstrations from the audience, such as applause, stamping of feet, whistles, boos, yells, or other demonstrations shall not be permitted. Violation of these rules could result in removal of the meeting by security staff. We do have a wonderful etiquette in Scottsdale.

#### **PUBLIC COMMENT**

[Time: 00:14:46]

Mayor Ortega: Next, we will go to public comment. Public comment is reserved for Scottsdale citizens, citizen business owners and/or Scottsdale property owners to comment on non-agendized items that are within the council's jurisdiction. Advocacy for or against a candidate or ballot measure during the council meeting is not allowed pursuant to Arizona statute and is therefore not deemed to be within council's jurisdiction. No official action can be taken on public comment, and speakers are limited to three minutes to address the council. If you wish to speak on a non-agendized item, or an agendized item, please see the city clerk. We have cards and you can so note a public comment or otherwise. I have one speaker. So I will open public comment, Robert Grossman. Please state your place of residence and thank you for being here. We have a point here. Thank you, sir.

Robert Grossman: Thank you so much to the council for allowing me to speak. I had sent some emails which some of you may or may not have seen regarding this topic matter which is water pumping station 57. I live up in the Winfield community on the corner of Scottsdale Road and Westland Drive and water pumping station 57 has recently undergone a major renovation.

At the outset of this renovation, we had spoken to the project foreman because we were somewhat concerned, especially because my property backs pretty much right on to it. What was going on, what was going to happen and what the final product was gonna look like. They told us for all intents and purposes, you have nothing to worry about. Nothing is really going to change. We are replacing a couple of tanks and you will see really no change. Two years later, we have found that that is not the case. In addition to the replacement of the tanks, they have put several large venting units on top of these tanks, are which, you know, to be honest are just kind of an eye sore and are blocking our views from my home and several other homes.

[Time: 00:17:17]

We have really nice views toward black mountain and now we're looking at these fairly ugly eye sore vents. And what I have done is I've just asked the project manager and some of the other people involved at the department of water, can you please just send someone out, take a look at this project, take a look at, you know, what it's done to sour community, just talk to us a little bit.

Maybe you can extend the height of the wall, maybe there's some shrubbery put up to bring our views back to something that's a little bit more pleasant. And to be honest, I have been kind of brushed off. Every time I try to send an email, I get a response from someone else. I have been told that nothing has really changed when clearly that's not true.

So we're just requesting that someone from the department of water, from the city come take a look, see what might be done to restore our views to something that's a little bit more pleasant again. I don't think this will cost the city millions of dollars. I think it's a fairly simple fix, but we just feel like we haven't been heard. I wanted to state our case and see if perhaps someone can contact me, come up, take a look and see if there's something we can do about it.

Mayor Ortega: Well, thank you, sir. And I'm guessing your residence is on file with the clerk and we will take a note. The standard process is for every email to be acknowledged and then we send it on with a counsel of individuals, to the staff people that would answer and keep us in the loop. So thank you very much, sir.

Robert Grossman: Thank you very much.

Mayor Ortega: Okay. Next, we will -- I will therefore close public comment. And we will return -- we will continue with our agenda, which includes -- excuse me, we have to approve minutes, don't we? There were no minutes this time. Excuse me. Okay.

I'm just -- yeah, I don't see that there are. The reason I'm referring to this is I have a lot of paperwork on Ms. Butteweg. Oh, sorry. We're proceeding.

**CONSENT AGENDA**

[Time: 00:19:44]

Mayor Ortega: We're going to the consent agenda? Okay. Which is items 1 through 14. We have an opportunity for the public to comment on any of the items by stating the item number or subject. So we do make a call to the public. And I'm told there are no requests for any -- by the public, so I would close the public comment portion of the consent agenda.

Do councilmembers have any questions on any of the consent items wanting more clarification? And I see Councilwoman Whitehead?

Councilwoman Whitehead: I don't have any questions. I just want to thoroughly thank the McDowell Sonoran Conservancy for their work and our staff for assisting in that effort. And just enthusiastically support the contract tonight.

Mayor Ortega: Thank you. Councilmember Graham. Would you like a presentation?

Councilmember Graham: Yes, please. Councilmember Whitehead, you will get a chance to say more. I would ask for a presentation of 9, 10, and 11, one is McDowell Sonoran Conservancy agreement. If we could take them from the consent.

Mayor Ortega: They would remain on consent or --

Councilmember Graham: I was kind of wanting to hear a presentation. It might be a little bit --

Mayor Ortega: I understand what you are saying, however, I'm just going to ask for a clarification because people don't necessarily know what, 9, 10 is, and 11 means. 9 is public services and facilities.

Councilmember Graham: 9 is the rawhide wash flood hazard mitigation. And 10 is the modernize and expand police and fire training facility construction service contract, and 11 is the McDowell Sonoran Conservancy agreement.

Mayor Ortega: So those will be moved to the regular agenda. And I'm open to a motion for items 1 through 14, excluding item 9, 10, and 11.

Councilwoman Whitehead: Mayor --

Councilwoman Janik: So moved.

Councilwoman Whitehead: I will second that.

Mayor Ortega: We have a motion and a second.

Councilmember Graham: Thank you, Mayor.

Mayor Ortega: And at this point, I don't see any hands up so please record your vote for consent agenda items as stated. Those are unanimous.

**ITEM 09 – RAWHIDE WASH FLOOD HAZARD MITIGATION PROJECT INTERGOVERNMENTAL AGREEMENT AMENDMENT**

[Time: 00:22:22]

Mayor Ortega: We will go to the regular posted agenda items and items number 9, 10 and 11. I will ask for presentation, rawhide wash flood hazard mitigation is number 9. This involved usually a CIP with coordination of the -- and joint agreements with the county and so forth. So I would ask those engineers to please step forward and make your presentation. Had.

Hasan Mushtaq: Good afternoon, Mayor and council. My name is Hasan Mushtaq, I'm the floodplain administrator for the city of Scottsdale. Item number 9 is a joint cost share project with city of Phoenix and Maricopa County flood control district. We've already seen this IGA a month ago. We signed the contract with the parties.

This item today requests additional clarification on items 7, 8, and 9 on the agenda. So flood control district requested language change in the document. So that necessitated another round of approval from the Mayor and council at this time. So no new information, but we already approved it about a month ago.

Mayor Ortega: Thank you. Did you have a specific question?

Councilmember Graham: Hasan, do you have any -- can you pull up the renderings? Do you have a presentation for us?

Hasan Mushtaq: Unfortunately, I do not. I do have a hard copy of the document.

Councilmember Graham: Okay. You can put it on the -- they're ready to go, aren't they? Really, I was curious, the original agreement was for \$15 million and the updated amendment is \$30 million. And I was just wondering if could you just teach us a little more about --

Hasan Mushtaq: Yes, that is correct. The original phase one contract was for \$15 million total. By the time the two phases came together, because of the change in the market, construction activities and the cost of contractors and so forth, the two phases together totals up to \$30 million now.



Councilmember Graham: So the -- in the packet it says due to uncertainty of the market. That's the reason it gives for the doubling. Did I miss something?

Hasan Mushtaq: Partly correct. Uncertainty includes the cost of --

Councilmember Graham: Thank you, Sherry.

Hasan Mushtaq: The material and the labor force and so forth from three, four years ago, added on to the second phase which is extending the project up north beyond Happy Valley Road.

Councilmember Graham: So is the doubling of the project -- did the project, was it extended or expanded or was it just strictly cost increases that increased an 800% increase?

Hasan Mushtaq: On the screen, if you will, the phase one of the project is half of that rectangle from Pinnacle Peak Road to the south, to Happy Valley Road, that was phase one. This is Miller Road bridge crossing. That was phase one and from Miller Road all the way up to the upper end of the wash is the phase two part of it. So you can see the size of the project increases significantly added on to that what was the cost as well, the phase one cost estimate came in and by the time we got to the phase two cost estimate, things were all over the place and we had to put it together in -- in -- the total was double.

Councilmember Graham: Would you say there was an error in the original estimation of the scope?

[Time: 00:26:35]

Hasan Mushtaq: I hate to call it an error, but it's maybe a short sight -- a shortage of the foresight how much activities or phases if you will, the total project consisted of originally was lacking in that manner.

Councilmember Graham: Okay. Well, I was pleased. I know this is intergovernmental agreement, so I know that we don't bear all the costs of that increase. In fact, our contribution went down from 10% to 9% of the project, but our contribution is still sharply increasing. It says in the packet, it says upon adoption by the parties of the amendment. Can you confirm the other parties have approved the amendment?

Hasan Mushtaq: Draft document has been approved by all parties, because before we come to the council, the agreement has to be reached between parties about the contract, the language, the agreements, the conditions and everything else. Otherwise, we wouldn't put it up to -- for approval request.

Councilmember Graham: Okay. Thank you, Mayor. No further questions, Hasan. Thank you.

Hasan Mushtaq: Thank you.

Mayor Ortega: Councilwoman Whitehead.

Councilwoman Whitehead: I want to talk about this because I have been involved a little bit longer. Phase one, it was my understanding that we knew that the project was going to be phase one, and then an additional phase two. Wasn't this known? I mean, perhaps this is a question for Bill Murphy or somebody. This was -- you know, it was always a larger project that was being done in phases. Is that not correct?

[Time: 00:28:11]

Hasan Mushtaq: For the ease of design of the project, it was talked about to do it in two phases first. Phase one is a biteable chunk and then come back and add phase two. But the way the cost was increasing, it was decided, let's just put it all together and not wait for more increase later on.

Councilwoman Whitehead: Okay. But my point is we doubled the size of project and doubled the cost and I don't see -- Mr. Graham inferred that there was a mistake. I don't see a mistake. I think we made a decision and again city engineer, Dan Worth, there are a number of people who could answer this. The decision was made to do the project all at once in order to probably save from future cost increases. Is that what I'm hearing?

Councilmember Graham: That's not what the packet said. The packet said something differently.

Councilwoman Whitehead: I'm glad to get the clarifications Councilman Graham. The other question I have -- so thank you for bringing it up. The other question I have is having to do with the county portion, the flood. Can you give -- can you break that down? It's in the packet but it might be good for the public to hear, what part of it is -- is it a 50/50 matching?

Hasan Mushtaq: So when -- excuse me, when we started the project, phase one was cost shared 50% flood control, 40% city of Phoenix, and 10% city of Scottsdale.

Councilwoman Whitehead: Okay. So 10% Scottsdale. Okay.

Hasan Mushtaq: For the first phase which was \$50 million. When we added the projects together, by the time the flood control district has changed their cost share, they increased their cost share. So remaining \$15 million, flood control is paying 65% and Phoenix and us, we are doing accordingly 40 and 10 out of the remaining 35%. So it's a little complicated. I will share -- our share went down. Our contribution went down a little bit.

Councilwoman Whitehead: So I think what I just heard was 10% -- our total cost -- so of this

\$30 million we're paying how much?

Councilmember Graham: Oh, a small amount.

Hasan Mushtaq: Correct.

Councilwoman Whitehead: A small amount. Thank you.

[Time: 00:30:24]

Mayor Ortega: This is a good illustration of what is called an alluvial fan. Alluvial fan is the most unstable soil conditions basically where soft soils run off mountainsides and they create a hazard on Scottsdale Road. This is a drainage and safety solution, and you may have -- be aware over the years all the silts and sands that were impeding traffic when we have heavy flooding and so forth. So this is why it's a regional project. It's a regional project because it's life safety, as well as stabilizing. You see in this illustration what looks like a fan almost. The handle is in Scottsdale and then it crosses Scottsdale Road and, of course, that's where those interests are.

I move for approval of item number 9, which is revised amendment to intergovernmental agreement between the city of Scottsdale and city of Phoenix and the Flood Control District of Maricopa County for construction. Construction management and operation and maintenance of the rawhide wash flood hazard mitigation project. So I would ask to adopt resolution number 12890 authorizing intergovernmental agreement, and amendment 2020-01, city of Scottsdale-A2 between the city of Scottsdale, city of Phoenix, and Flood District Maricopa County.

Councilwoman Whitehead: Second.

Mayor Ortega: Thank you. Any other discussion?

Councilmember Graham: Just real quick. Thank you, Hassan for explaining some of that to us.

Hasan Mushtaq: You're welcome. Thank you.

Mayor Ortega: Okay. Please record your vote. Councilman Durham? Good I expect to see this contract on my desk tomorrow. So -- it will be there.

**ITEM 10 – MODERNIZE AND EXPAND POLICE AND FIRE TRAINING FACILITY CONSTRUCTION SERVICES CONTRACT**

[Time: 00:32:20]

Mayor Ortega: Next, we'll go to item number 10. Please present construction manager risk contract to modernize and expand the police and fire training facility. Ms. Tymkiw our city engineer.

Allison Tymkiw: Sorry. I was looking for the mouse. Okay. Good evening, Mayor, members of council. Alison Tymkiw, city engineer. The item before you is item 10. It's the construction manager at risk contract to modernize and expand the police and fire training facility. This is bond 2019 project 27. We're requesting to authorize construction manager at risk 2023-065-COS-51 with core construction in the amount of \$4,872,893 for GMP number two for this project to provide remaining construction services as required to complete the facility. Okay.

So this is the location map for this project, as we have discussed several times before, this project is located in the city of Tempe. It's at our Hontz facility. It's the location map, it's south of Curry Road and just near the Loop 202 and Hayden Road. As you recall on May 16<sup>th</sup> of 2023, city council approved first of two guaranteed maximum price contracts. So the first one was gmp1 on May 16<sup>th</sup>, and that was in the amount of \$9,250,058, and that was for the procurement of long lead material and equipment for the project. And then the purpose of this action is to authorize guaranteed maximum price number two, which includes the complete construction services for the facility.

So as we've explained previously, the existing facility was constructed in 1995. It was designed to support 215 police officers. Scottsdale now has 689 sworn civilian and -- sworn and civilian personnel. And the use of that training facility is no longer adequate. It doesn't have the adequate space to accommodate our required training, our police staff are being trained elsewhere.

The current facility is over 20 years old. It's undersized and doesn't meet the national training curriculum standards. So it limits what we can do with our staff and compromises public safety. This is the proposed site plan, the north arrow on this is pointed to the right. But as you recall from previous presentations, the red area here shows the fire training facility that is currently under construction, and then the blue on this site plan shows the police training facility. So the lighter blue is the existing facility. And then the darker blue is the expansion. Oops. Wrong direction. Sorry.

Okay. So this shows the proposed expansion. It's a view from the southeast looking northwest and there's a line in the middle depicting what is existing and what is the expansion. And then this is another view of the proposed expansion, it's from the southwest looking northeast and this primarily shows the expansion and less of the existing facility. And with that, I'm available for questions.

[Time: 00:36:32]

Mayor Ortega: Okay. We have Councilman Graham.

Councilmember Graham: Oh, if there are others with questions, I will defer to them.

Mayor Ortega: Well, you moved -- please go ahead.

Councilmember Graham: Thank you. Thank you, Alison for your presentation. So I kind of pulled this because this is one of the bond 2019 projects and we talked a lot about it and we discussed the fire training facility. I'm trying to, in this project, separate the process from the need. Because I know we're gonna hear and I agree with everybody that the current facility is grossly inadequate. Of police needs more conference rooms. They need better conference rooms. I agree with that. They need better shooting lanes. They need more shooting lanes. They need a better training facility. They need to be able to have a better facility so they can recruit more personnel. They need to be able to have a good facility so they can keep their personnel and feel valued. So this is not at all about the need. We need a new police and fire training facility down there. I've been there myself, and it is in disrepair.

So I'm trying to separate the need from the process here. I feel like I have to start that. I'm also going to say, I support this project. I think that for all the reasons I just mentioned, I'm going to support the project. But what I'm trying to home in on is how we told voters in 2019 that the facility was gonna be 7,000 square feet and this one is double that. And I'm trying to home in on we told voters it was going to be \$4 million, are \$4.2 million and now we are voting on \$20 million which is almost a 400% increase. So we went to the voters and they expected us to be in the ballpark of what the need was, and I'm just asking was there a breakdown in communication? Did somebody provide or receive wrong information? Was a review missed?

And it's not to, like -- it's not to, like, catch somebody or put somebody on the spot, but it's really -- these are -- these are -- these are a lot of tax dollars and the variance is substantial. And we want to prevent it from happening again, as best we can. So can you talk a little bit? Because an error was made.

Mayor Ortega: May I interrupt here? And I am interrupting because our city engineer is not here to discuss bond issues, how it was written, when it was written. These are professionals that are executing the building that you just spoke of. We all know that it is needed and the agenda item in particular is regarding construction manager at risk. It's not the topic of doing an autopsy on the --

Councilmember Graham: When --

[Time: 00:39:48]

Mayor Ortega: She is not entitled -- she's not gonna answer your questions. She's representing the agenda item because that's why we are gathered here today. Now, if there's any question regarding bond acquisitions, bond promises or whatever, that may be agenda item by you, and you can explore it as deep as you want. As you know, I have pointed you to the budget -- the audit committee. And that's a good place to be. If you choose to do that, that can be done, but

it's not the topic on our agenda. So that's why I have to interrupt and say that respectfully --

Councilmember Graham: You're --

Mayor Ortega: That that's why we have an engineer answering the question, not a bond specialist and we're trying to go back in time as I know auditors can do and C.P.A.s can do. It's not where we're prepared to respond today or -- or --

Councilmember Graham: Mr. Mayor, I respectfully --

Mayor Ortega: Yes.

Councilmember Graham: We are being asked to approve an increase in funding. And so I'm trying to get information why. There is absolutely relevant and you are trying to cut off debate.

Mayor Ortega: I am not cutting off debate. I'm saying the debate is for 4.872 million for a project that is going to be from one ledger of dollars to actual jail, shooting range and all of those things. It is, in my opinion, a zero sum. It's money that we look at today that goes on the ledger as an asset, it then worth -- if it's \$20 million and we spend \$20 million for it, I have put to use the -- the funds of taxpayer money and in this case, a substantial amount of general fund money to offset whatever, you know, bond money there is.

But that exploration of how and where, back to 2018 is not why we are here tonight. It's not why we are here. We have a specific question. We have a contract that we will be looking at, that will authorize a construction manager at risk for this project.

[Time: 00:42:11]

Councilmember Graham: Mr. Mayor, I respectfully disagree. I think that we are allowed to discuss why we are approving and it's just -- it's just kind of -- an audit. The audit committee is about a prospective and learning process and going into the minutia and the audit committee is good for that, but the -- the questions are put on the table, and -- and I still keep them there. So --

Mayor Ortega: I'm agreeing with you, and I'm saying that can be a separate agenda item, that it can be discussed in detail for whatever item may will have had to deal with, you know, supply chain shortages, all of these other questions. That's a legitimate question. I understand that. But the purpose of the agenda and, you know, by state law, we are to stick to the subject as the body, in dealing people and our public notification process.

Councilmember Graham: So when we are being requested for approximately \$5 million, what questions are appropriate then that could be asked?

Mayor Ortega: The questions are whether they are the lowest respective bidder. The questions are whether it was properly advertised and the qualifications of the contractor to deliver, because I will have a contract tomorrow on my desk. It won't say, and what about when and how something was represented in a flyer or a pamphlet, you know, six years ago or five years ago, how those conclusions happened are irrelevant to the -- not only is the resolution in order, but there's all the backup material that end up being a signatory authorized by council.

Councilmember Graham: So you're saying that we can't ask about why our costs increased and whether anything happened internally.

Mayor Ortega: You have asked specifically about an area that's not -- excuse me. You can ask and as I said, they are the lowest responsive bidder. That's our due diligence. And for this time and place -- because I have been in the bidding situation, when we approach this in May, there were certain things that were long lead items, right? And if those were delayed, by not -- by going into the forensics of a bond some time ago, that we would have missed that window to order those specialty items that needed to be in -- in the building.

So we can't -- we can't shortchange the police. We can't shortchange fire. We have an obligation today to look at what was before us and this is -- that's why I have to give my ruling as far as whether or not -- if you would like to revisit another topic on any specific ones, and I'm not saying you are pointing fingers or wanting to get to the bottom of it, I'm not saying that at all, but obviously, we had to deal with COVID and all of these other general factors that were discussed both at our retreat and of the prioritizing we have been dealing with as a body, as a group, saying, hey, this is what we have to work with.

That's why I would prefer that -- and I can ask my colleagues, but this is why we're able to discuss what we have on the agenda today. I see Councilwoman Whitehead and then Janik and Caputi.

[Time: 00:45:45]

Councilwoman Whitehead: Councilmember Graham, are you finished?

Councilmember Graham: I wasn't.

Councilwoman Whitehead: I appreciate Councilmember Graham's questions, but we have had this exact discussion on this exact facility twice.

Councilmember Graham: That was the other facility.

Councilwoman Whitehead: No, no, we had it at the retreat. We had this specific facility in another council meeting.

Councilmember Graham: One other meeting.

Councilwoman Whitehead: I get it. I think our public works director, Dan Worth had a succinct way of how we got where we are with this particular facility. He had all the numbers quite well. Well, how many different projects -- I don't know, Dan if you want to get to a microphone near you.

Councilmember Graham: Maybe not.

Councilwoman Whitehead: You had a how many projects your staff had to review very, very quickly before it was then reduced down to the actual number of projects that made it on to the -- on to the bond questions. And on this particular facility, staff was trying to save money, and we are fairly good at doing that by doing renovation instead of addition.

[Time: 00:47:10]

So the bond question, which, of course, this was written years ago, the bond question was written as a renovation, that worked out -- that turned out not to work. And therefore, did I get close.

Mayor Ortega: We are getting off topic. We are getting into the bond question. If people want to visit a recording of all this discussion in detail, that is off topic.

Councilwoman Whitehead: Thank you.

Mayor Ortega: And I don't need a revisiting that topic, because as per rule.

Councilwoman Whitehead: Yes.

Mayor Ortega: We are going to stick to the agendized item. Now, this is not only our rule, but it's also state statute. State statute says when you list what your agenda is, the body will stick to that subject. Now, that's the extent of our duty and it's important if someone, again, wants to revisit competency, the COVID, election rules, I don't know what else could be brought in, and within our jurisdiction, but that is not the agenda item. So I --

Councilwoman Whitehead: May I wrap up.

Mayor Ortega: I would, again, try to please stick to the topic.

Councilwoman Whitehead: I will stick to the topic. I will wrap up by saying anybody who is interested in this project from a bond perspective should just listen to the recording of the -- the most recent, it would be the retreat. Thank you.



Mayor Ortega: Councilwoman Janik, Councilmember Caputi and then Durham.

Councilwoman Janik: Thank you, Mayor. Really simple question, are we almost ready to start construction on the project?

Alison Tymkiw: Yes, Councilwoman Janik, this is why we need the authorization of this contract to start the construction. We've prepurchased, like I said, the long lead materials that were required and now we'd like to begin construction.

Councilwoman Janik: I love it. Thank you.

Mayor Ortega: Councilwoman Caputi.

[Time: 00:49:12]

Councilwoman Caputi: Just really quickly, I wanted to thank you, Alison for your patience and for walking us all through this project, I think two or three times now and being very clear. Same thing with our entire public works department. These have been very strenuous and stressful times and you have done a fantastic job, despite the headwinds of bringing us these projects, and, again, walking us through several times so that we are clear on the numbers.

I feel comfortable making a motion to approve -- do we have it up there? The motion language or should I just read it off the agenda? I will make a motion to approve the consent agenda item number 10, are modernize and expand police and fire training facility construction services contract, adopt resolution number 12880.

Councilmember Durham: Second.

Mayor Ortega: A moved and a second. Would you like to speak to the second? And we will have a vote. We can have more discussion. Mr. Durham?

Councilmember Durham: Yes, I just wanted to say on page 2 of the staff report, there's pretty good discussion of why the price has gone up. We know there's been 22% inflation in had the producer price index, and the facility was re-evaluated and determined that they needed a separate shooting range and they've changed the construction requirements for the shooting range. So I would love to buy gas at 2019 prices but I can't. If I want gas, I'm gonna pay 2023 prices. And if we want this project, we've got to pay the 2023 price. So I certainly support the motion and the resolution.

Mayor Ortega: Okay. Any other hands up?

Councilmember Graham: Oh, Mayor.

Mayor Ortega: Okay.

Councilmember Graham: I will accept the will of my colleagues and -- and subdue my questions. The only reason I did feel merit in asking my questions because like my colleague, councilman Durham said, this talks about costs. This talks about reasons why costs went up. This talks about why scope was changed. And those were my questions about this.

Mayor Ortega: But you did refer to the bond and that was another area. So --

Councilmember Graham: So is this. So does this. And so --

Mayor Ortega: Are you done or do you want to continue -- you know, if it's been explained well enough, we are all concerned to get this project going and if you have concerns about bond procedures and otherwise, please put it on the agenda and we'll see if we get the votes to get that forwarded.

Councilmember Graham: Mr. Mayor, I will defer to the will of the majority here and decline. But the first line of the paragraph is "it was approved in the 2019 bond" that's the only reason why I felt like it was valid to discuss it, because it's in the packet. So with that and like I said, not debating the need of the facility.

Like Councilmember Janik said, let's get the shovels in the ground, they need a better facility. It was a process-focused decision. I think those questions were raised on May 16<sup>th</sup> to the police chief and the fire chief directly. So we hope we can -- please record your vote. Thank you.

**ITEM 11 – MCDOWELL SONORAN CONSERVANCY AGREEMENT**

[Time: 00:52:48]

Mayor Ortega: Next, we're moving on to item number 11. Item 11 is the -- deals with the Sonoran -- the McDowell Sonoran Conservancy agreement. Thank you.

Scott Hamilton: Good evening, Mayor Ortega, members of the council, my name is Scott Hamilton, I'm the preserve manager in the community services department and we do have a brief couple of slides for you tonight. But this item in front of you is agenda item number 11. It's a five-year agreement between the city and the McDowell Sonoran Conservancy.

We also have tonight with us Margie Traylor and Kelly McAuliffe from the Conservancy if you have questions for them. How do I go forward? We have a longstanding relationship with the Conservancy. It goes back 30 years. The nature of the partnership is that the city owns and operates the Preserve, and the Conservancy is our primary nonprofit partner, supporting us in the important work of maintaining and protecting the Preserve.

We've had prior contracts between the parties, the first formal one was in 2009. Then we had one in 2011, 2018. The 2018 agreement expired at the end of the June. So the item before you

tonight would be a new five-year agreement to go another five years. And essentially the contract establishes the roles of the parties, which the service provided by the conservancy is essentially the comprehensive stewardship program that I believe many of you are aware of.

It includes numerous programs, some of the very prominent ones are the trailhead ambassadors. These are the stewards that are at our trailheads mainly during the season. Probably not a lot of them out there on a day like today. But during the high season, at the major trailheads, they staff the facilities. They answer questions. They give trail suggestions, information, very important when it comes to public safety, especially when we start getting hotter days in the spring and then in the fall, just cautioning people, you know, make sure they have sturdy foot Ware, make sure they have a map and their cell phone and plenty of water. We also have roving trail patrollers. Those are essentially very similar to the trailhead ambassadors but they are out on the trail, hiking the trails.

We have stewards on mountain bikes patrolling the trails. We have some equestrian stewards out, you know, communicating with the public, answering questions, that sort of thing. And then numerous education programs for citizens and visitors. Some of these are lectures at our public libraries. You know, if you go to the gateway trailhead during the high time of the year, there's trailside naturalists that are there sharing. They have all of their props that they are sharing information with the public about, our Sonoran Desert plants. Trails are crucial to the preserve and keeping them maintained is very important and then there are special assignments.

One that we just completed was the 4<sup>th</sup> of July fire watch. We closed the Preserve at noon on the 4<sup>th</sup> of July for, one, prevent people from coming in and potentially shooting off fireworks. Sometimes they try to come in to watch the fireworks from the preserve out in the community, but the stewards for, gosh, it's probably been going on the better part of 15 years now, have been staffing the trail. Two or three of them will sit at each of our closed trailhead gates not only to tell people why it's closed but they are also in communication with our staff, in the event they were to see a fire start or something to cause concern.

[Time: 00:56:46]

We also do a monsoon storm watch, when we start getting the monsoon storms that roll in. We could get 3 inches of rain in one part of the preserve and totally dry in the other. We will get with the stewards and they will go out and check those things and make sure they are still intact.

So in 2022-23, 544 individual stewards, put in over 68,000 hours, which at the current value according to the I.R.S. comes out just a little over \$2 million per year which is also equivalent to about 33 F.T.E.s, which, you know, those statistics are really important to us. But it's also hard to put a true value on it because the stewards, if you have interacted with them, they bring a passion and an enthusiasm and an ownership, quite frankly of the preserve that is just simply

unmatched. Then the consideration provided by the city would be on an annual basis for the council to consider in the budget process.

Dollars that we could use to support the -- mainly the volunteer training, recognition, education, and some print resources in the recent adopted budget there was \$49,500 in the preserve operating budget to reimburse the conservancy for costs related to those items. We also have donation collection boxes at seven of the major trailheads for people who give donations directly to the conservancy. And then we also work with the conservancy for use of our spaces.

With that many volunteers, there's a lot of recruiting. There's a lot of training. There's a lot of ongoing training, orientations, as well as the public programs I mentioned. We do that at our libraries. We do that at, you know, Florence Ely Nelson Park up at Pinnacle Peak and Pima and various facilities around town.

[Time: 00:58:48]

We also work with the Conservancy for donor recognition panels. We haven't done a lot of this yet, but it was in the prior contract and a great example is if you visit the browns ranch trailhead, you can see some of the signage, not only public information about safety and route suggestions and that sort of thing, but there's also information about the programs the conservancy provides and a small portion that recognizes some of the larger donors to the conservancy.

And then also included in the consideration is temporary sponsorships. That could be, for example, when we do the expedition days, children's event at lost dog. We could work together. And, again, we haven't done a lot of this yet, but it's envisioned that we could put -- if we have a sponsor for that event, you know, today's event brought to you by x company. So those are the major considerations that the city would provide. And with that, I would be happy to answer any questions. And, again, we also have Kelly and Margie with us today that could --

Mayor Ortega: So first of all, I would like to thank Councilman Graham for asking for the full presentation and it really is a very worthy item that we're discussing. So did you have any comments -- well, I don't -- did you have any comments on this item?

Councilmember Graham: Mayor, I do and it was a great presentation. I think other hands might have gone on.

Mayor Ortega: I understand.

Councilmember Graham: I will defer to my colleagues.

Mayor Ortega: Thank you. Please cue in and I will be glad. Councilwoman Whitehead and --

Councilwoman Whitehead: So I'm going to enthusiastically motion to approve resolution number 1285 -- I got to put my glasses on. Hang on one minute. Enthusiastically but patiently approve, resolution number 12851 for this agreement, 2023-081 City of Scottsdale with McDowell Sonoran Conservancy but I recognize that my colleagues might have questions. That's my motion.

Councilwoman Janik: Second.

Mayor Ortega: Second.

Mayor Ortega: Do you want to speak to your second Betty?

Councilwoman Janik: Thank you, Solange. First of all, very nice presentation. It's nice to see that type of information. The Conservancy members, they deserve a huge thank you from every one of us. They love what they do. It shows. They do great work. They are the backbone of our Preserve. So I really appreciate it. And I think it's a shining light for Scottsdale to show how much our citizens value what we have in our city. So that's a great big plus for us. So thank you for all you do.

[Time: 01:01:35]

Mayor Ortega: Thank you. Councilmember Graham.

Councilmember Graham: Scott, thank you for the presentation. I really just kind of wanted to hear about -- more about the presentation tonight. I thought it didn't -- you know, being on consent, I think -- I wanted to hear the full thing because it was kind of -- it's kind of something special in our city that we have. 68,000 volunteer hours. \$2 million in I.R.S. valued labor. Can you think of anything comparable in the United States that -- that packs that kind of punch?

Scott Hamilton: Mayor Ortega, Councilmember Graham, short of like-to-like comparisons I can share an anecdote with you. Numerous times a year, I will get phone calls from people who work for other land agencies around the country, and it's -- it's funny because I've had the same thing happen again and again. Oftentimes they visited here, they might work in Michigan or New Jersey, or some other place on trails. They visit Scottsdale and they come out and enjoy our amazing Preserve. They see our signs, they see the maps and the stewards at the trailheads and then once they get back home and they get back to their desk and they call me and the question is: How did you guys do that? I can explain to them how we do it.

You know, we've got, you know, contracts and methods and trainings and like the nuts and bolts of how we do it, but to explain to them how it happened, and why it happened is kind of difficult because we were -- we're just incredibly fortunate with our geography, our population, the passion of our citizens, and you put all of those things together, and it's -- it's definitely -- I wouldn't say there's nobody out there doing it like we are, but we're a rare instance, for sure.

Councilmember Graham: I remember growing up in Scottsdale as a kid, you know, we have to save this before it looked like Camelback Mountain where there's houses all the way up. We made that dream a reality. I think it's pretty cool. I wanted to give -- when I pulled this from consent. I wanted to give you an opportunity how do you become an ambassador, and a little bit of a promotion if you would indulge us.

Scott Hamilton: I will have Kelly come up and answer that question.

Councilmember Graham: It may -- you know, when you are an insider, it's probably obvious but for somebody that wants to, you know, step one.

Kelly McCullough: Good evening. Thank you, councilman for the question. It's not easy. You need to go through what we call S101, Stewards 101, and you go through certain training on stewards, stewardship at the conservancy. I'm just the interim CEO. I'm not scheduled to do my S101 training until September. And I'm not allowed to wear one of the T-shirts until I go through S101 and rightly so. They go through training and retraining throughout the year. And depending on the services -- you know, Scott outlined all the various jobs, I guess or tasks or initiatives at that time stewards undertake. They go through different training. You know, if you are patrolling -- if you are on trail patrol, you go through EMT and, you know, those types of training and, you know, first-aid and other types of programs.

[Time: 01:05:12]

So one needs to go to our website and self-identify, and say they want to be a steward and we get them scheduled into S101 and we take it from there.

Councilmember Graham: Well, thank you. Thanks for talking to us and good luck with the new role.

Kelly McCullough: Thank you very much.

Councilmember Graham: Just one more question, then, I will be excited to vote. I wanted to ask -- I wanted to ask you, Scott, about the plaques at the trailheads. Section C says that McDowell Sonoran Conservancy can put up plaques at trailhead. I think there's one at Brown's Ranch; is that right?

Scott Hamilton: Correct. That was a recent project that we did earlier this spring. And the signage that was on the breezeway wall of the building was original from 2012, and it had become a little bit dated. We wanted to update it. So the conservancy had a gracious donor that offered to pay for the replacement of the entire wall. It's a 20-foot long wall and has a little bit of shelf in the front. Donor graciously paid to replace all of it.

We did some really great safety information for the public, route suggestion information, those sorts of things and then as you move your way across the wall to the right, then there's some information just about the programming that the conservancy provides and there's one panel that we put that's 2 feet by 3 feet that lists some of the names of the more significant donors to the conservancy. That's the only place that we have started working on the donor panels and it's part the conservancy donation program that you can be part of, and that's what helps the numbers. The city helps to support the stewards but much of the offset comes from the donations that are provided by the public to -- to subsidize the rest of the program.

Councilmember Graham: Do you have any plans to expand that at more trailheads? Is it only right there at Brown's?

[Time: 01:07:23]

Scott Hamilton: Yes, currently the place where we have done it is at Browns ranch under the prior agreement, and our goal is to spread it out to other trailheads as we go. Browns Ranch was a perfect candidate for it because the signage had become a -- it was good signage, it had just been there for a while and we wanted to refresh it with some newer things that we learned when we built the Pima Dynamite Trailhead. We wanted to replace it at Browns. That gave us a great opportunity. Our plan is to do the update of signage at the other trailheads and as we do that, we will also consider the donor element.

Councilmember Graham: Very good. Thank you, Mayor. Scott thanks for talking to us.

Mayor Ortega: Next Vice Mayor Littlefield and then myself.

Vice Mayor Littlefield: Thank you, Mayor. Thank you very much tonight for your presentation. I remember when the Preserve first started and my husband and I went down to some of the open houses before we had bought an inch of land and they had all the pictures out of what they were going to do and how they were going to do it and why we were going to do it that way. We said to each other, Scottsdale is not that big of a city and how are we going to do this? Lo and behold, our citizens are amazing. They put it together. You guys put it together. Of the stewards put it together. There's so much volunteerism concerning this preserve and the work that people have done for it. It's just absolutely stunning!

The Sonoran Commission, the volunteers that do all of this work day to day every day, keeping the preserve open for people to see and to enjoy, it's -- it's an amazing feat, especially for a city like Scottsdale that's not a huge New York metropolis. It makes you feel proud to be here and to be a part of this. And I would like to work for the continuation of this and to the growth of all the different things that we offer in our preserve, the education is a huge part of it. Educating our children as to why the Preserve -- why the desert is important, and why our desert is so unique. And I think that all of this has been conveyed so beautifully by your organization and I thank you very much.

Mayor Ortega: Well, thank you. Then, you know, it appears we are ready to vote on this item. I do commend you. We do have a 990 form. You file with the I.R.S. and I did see a -- a ranking, I believe we are the fourth or fifth biggest in the world. Municipal park. And there's one behind us, I think Rio de Janeiro has 30,000. We beat them by like 300 acres. So that's good. So with that, please record your vote. Thank you. Unanimous. And we will continue.

**PUBLIC COMMENT**

[Time: 01:10:33]

Mayor Ortega: Our next item is citizen -- is the citizen public comment, the second opportunity for the public to come forward on any non-agendized item. I'm told there are no requests for public comment. Therefore, I have opened and closed public comment.

**CITIZEN PETITIONS**

[Time: 01:10:55]

Mayor Ortega: Next item on the agenda has to do with the -- I guess we have petitions. Petitions is an opportunity provided for in our charter which allows citizens to -- who reside? Scottsdale to petition their government and place that at the clerk's office. We talked about the clerk. We haven't seen one. So there's none on the agenda today. The next item is -- therefore that item is closed.

**ITEM 16 - MAYOR AND COUNCIL ITEMS – SHORT TERM RENTAL DISCUSSION AND POSSIBLE ACTION AT FUTURE COUNCIL MEETING**

[Time: 01:11:24]

Mayor Ortega: Next item we are moving on to is the Mayor and council items. Per our rules, I had placed this on the agenda with due notice and I would just cover the topic very briefly, but it is very critical. The topic is short-term rental discussion and possible action of future council meeting. We are coming up on the anniversary, the one-year anniversary when the Arizona legislature finally took some action allowing some local supervision, are if I call it that for short-term rentals.

That law did not come into effect until 90 days after sine die. We acted right after the summer recess, enacted to the fullest measure all the ordinances that we could. And then there was a period of registration into January. One the most critical items was just required -- it was the fencing of pools in the short-term rentals. What I'm asking my colleagues today is to actually I will be making a motion. I will explain it a little further.

There have been some tragedies at short-term rentals. There have been some shootings at short-term rentals. There's been one of the largest drug busts in Arizona at a short-term rental in Scottsdale, Arizona. And there, as I said some tragedies. Some people came here and weren't used to a pool and two infant boys drowned. What I'm asking for -- and I will make it a motion,



pertains to two parts.

The first part is that I would like to see a compilation of all of the crimes whether they are, you know, felony, massive, whatever they were up to the number of calls we have had. Very bad experience for about four years. This council funded four police officers to try to get a handle on it, and the complaints still keep piling on from our beautiful neighborhoods on the subject.

[Time: 01:13:49]

So my motion would be to -- for the city manager to prepare as detailed as necessary all of these issues, even for the last -- since we were able to enact. The second part is I would like a report that would state what the adjoining jurisdictions have done. And I say that because we have had very strong communications with Paradise Valley, Mesa, Tempe, and I would like to -- I don't want to say comparison, but I would like to know what context we are and what actions we are taking that -- that we have taken and could be taken.

This is leading to possibly -- and, again, once we can agendaize this, to possibly consider certain terms of -- pertaining to revocations or other measures or possible legislation.

It's a concern so I would make that as a two-part motion. I move that that council ask the city manager to compile a detailed list of all these infractions, all the way up to serious shootings that we just heard about the other day, and fatality in Phoenix. And then a summary of our -- the adjoining jurisdictions.

I will say that to my knowledge, the most glaring jurisdiction has failed to do even one, an ordinance is the county. And I know that the county area -- unincorporated area, they are the jurisdiction that would have had -- that has the jurisdiction to provide some statutory registration of STRs, penalties or otherwise and I don't believe there's been any action.

Of I'm not trying to -- I would like to find out what the adjoining jurisdictions have done and more information, because literally we live across the street. And this is gonna be -- you know, it is at our doorstep. So with that, I hope I can make that motion and repeat it in its simplicity. I ask my colleagues regarding short-term rentals to have a report from the city manager that would outline as I said, a, all of the crimes and so forth; and then b, what actions and comparisons leading to possibly other -- other calls on our legislators to help us out.

Councilwoman Whitehead: I will second that, but I see there's some comments. So --

Mayor Ortega: Sure. And there's comments continue. Councilmember Graham, Janik and Caputi.

Councilmember Graham: Mayor, I think this is a great topic, and I fully support it. I wish we could go further than what we are going tonight if that were possible. But 11 -- Senate Bill 1168 gave us some tools and our staff has been working hard on that. So I'm excited for this motion. I saw it on the agenda and -- and I was pleased to see it open the agenda.

STRs are menacing, especially Scottsdale throughout, 85251, 85250, and 85257 are, I think, the most harmed ZIP codes in the city. And the more we can do to get -- to stop these horror stories to find every tool legally, and to go to the fullest extent to protect residents' quality of life, I will totally support. I was very pleased to see this on the agenda and I will be excited to see what the city manager comes up with. The city manager and -- and how that effort comes to fruition and I will be looking forward to that. Thank you.

Mayor Ortega: Councilwoman Janik, Councilwoman Caputi.

[Time: 01:18:04]

Councilwoman Janik: Thank you, Mayor. I just wanted to point out that it is a very difficult situation, but we have an outstanding police department. We have an outstanding legal department, and we have an outstanding administrative department that is ahead of the curve in dealing with most of these problems. Is it perfect? No.

And I am very happy that you put this on the agenda, because hopefully we can do more but it's good to recognize how ahead of the curve we are, and the Arizona central on July 5<sup>th</sup> published a very complimentary article about what we are doing for short-term rentals and they credited our dedicated staff, making quick work of scarce information. I do applaud everything we have done and also recognize that we always can do more. Thank you.

Mayor Ortega: Thank you, Betty. Next Councilwoman Caputi and then Vice Mayor Littlefield.

Councilwoman Caputi: I agree with Councilwoman Janik. We sort of set the bar for enforcement of issues against short-term rentals in the city. We have done an amazing job. And I also agree that this problem agrees to vex us. I'm happy to see that we brought this up as an agenda item, but I'm the tiniest bit concerned. I have no issues supporting this and I'm happy to have a list of infractions.

I feel like we have been given pretty good information, every time something happens the police chief makes sure we know every time there's an issue. Again, I'm perfectly happy for us to create a list, and look at what other jurisdictions are doing but I was under the impression that we are doing as much as we possibly can within state law. I want to ask the city manager, what will gathering a list of infractions -- what will that give us in terms of more tools in our toolbox?

Mayor Ortega: Well, I can answer the question. We have facts now. We have facts. We have four years of noncompliance and inability to register even having -- so now we -- this council has always supported future legislation and continuing legislation on the subject. So we are -- the -- our neighbors have built a case. Our neighborhoods have built a case and it's up to us to represent that at the state level.

[Time: 01:20:37]

Councilwoman Caputi: So we want it more as an opportunity to help lobby better at the state?

Mayor Ortega: Well, that's one of the end reasons, yes.

Councilwoman Caputi: I'm trying to understand where we are going with this, I'm totally supportive.

Mayor Ortega: To say we have done enough means that -- and there's certain criminal actions, especially that we cannot tolerate.

Councilwoman Caputi: Okay.

Mayor Ortega: And if we want to review any of those details, I'm not prepared to do that. We are abiding and, yes, because we personally get the notice doesn't mean that the public actually sees all that. And frankly, even before I took office, when they did the raid on fashion square, that came out of a short-term rental.

Councilwoman Caputi: Yeah.

Mayor Ortega: It was premeditated. I'm sorry, do you have something else?

Councilwoman Caputi: Again, anything that we can do to help, I'm all in support of. Thank you.

Mayor Ortega: Thank you.

Vice Mayor Littlefield: Thank you, Mayor, I also support this. I would like to give a heads up to our assistant city manager, Brent Stockwell, who with his team have been working, very, very diligently, working for a long time, trying to get locations and ownership for all the short-term rentals. They are not listed in any one place. I would just like to say a big thank you to you, Brent. You are doing a great job. Keep it up. I support this.

I think if we could get the information, get the factual information on the crimes, the things that are going on in some of these different STRs, and have it documented so that it's provable, not just somebody said this, that that might go a long way to being able to form regulations and ordinances, laws, perhaps, at not only the city level, but the county and the state level also to help control some of these throughout the state, because it's getting to be a tremendous issue and a tremendous problem for a lot of our residents here in Arizona. Thank you.

[Time: 01:22:43]

Mayor Ortega: Thank you. We have a motion and a second. Please record your vote. Thank you. That's unanimous. You know, I'm pleased to say we are a team, and we are finishing up our

summer recess. We all have different -- I want to express my appreciation as well to our charter officers, in particular, we highlighted Cathie and really the strength of this organization. We're all proud to represent and be of the people here in Scottsdale. With that, is there a motion to adjourn.

Councilwoman Whitehead: So moved.

Councilmember Graham: So moved.

Mayor Ortega: Unanimous. We are adjourned. Thank you. Enjoy your summer!